



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,679	09/11/2003	Nobuyoshi Horie	1163-0470P	4487
2292 7590 06/25/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
GRANT IL JEROME				
ART UNIT		PAPER NUMBER		
2625				
NOTIFICATION DATE		DELIVERY MODE		
06/25/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/659,679

Applicant(s)

HORIE ET AL.

Examiner

Jerome Grant II

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24, 27, 28, 31, 32 and 35 is/are allowed.
- 6) ☒ Claim(s) 25, 26, 29 and 30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Detailed Action

1. In claim 35, first line, delete “claim” first occurrence.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 25, 26, 29, 30, 33 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Campana (5,446,759).

With respect to claim 25, Campana teaches a fax signal transmitting device (620) for transmitting fax signals from a fax terminal 618 or 204 (of figs. 34 and 35) the transmitting device comprising:

A frame assembling part (digital signal processor or U3) for generating a frame data (shown by figs. 2, 19 and 20) by combining a fax signal output (data unit frame group) from the fax terminal and a redundancy fax signal output (bch error code, according to figure 30, in addition the redundancy transmission of data in adjacent

Art Unit: 2625

frames of data transmitted by a terminal such as the fax terminal, see col. 4, lines 37-43 and 48-53; outputting the frame data onto a transmission line (wireless channel 616, see fig 34.)

With respect to claim 26, Campana teaches signal storage part 730,734, 752 and 754, for storing the fax signal from a fax terminal (see figures 34 and 35) which is the typical transceiver device for fax device 620).

With respect to claim 29, Campana it is inherent when the number of errors exceed a predetermined threshold in the BCH, the data will be retransmitted and the process repeated until the number or detected transmission errors is within a predetermined threshold.

With respect to claim 30, Campana teaches a frame packet wherein each packet contains 3 1/2 pages. See col. 4, lines 42-50. Moreover, while Campana uses a synchronous transmission scheme, The transmission is not time clocked until the paging events can be determined. At col. 8, lines 31-36, it states the paging events are random, hence the transfer of the page data must in certain respects be translated asynchronously.

With respect to claim 33, Campana teaches a method of transmitting fax signals (see figures 22) output from a fax terminal 618 or 704 (see figs. 34 and 35) comprising the steps of:

Generating frame data via PSO (u3) by combining a fax signal output from the fax terminal and a redundancy fax signal (/bch error code, see figures 1 and 5a) output from the fax terminal before the fax signal (1st and 2nd data unit of the next frame group), in addition the redundancy transmission of data in adjacent frames of data transmitted by a terminal such as the fax terminal, see col. 4, lines 37-43 and 48-53; and transmitting the frame data onto a transmission line (wireless channel 616).

With respect to claim 34, Campana teaches wherein the redundancy fax signal crc/bch is previous to the fax signal output by the terminal. Note that the is BCH signal appears before the first and second data unit of the next frame group. See figures 21 and 22.

3.

Claims Allowed

Claims 31, 32 and 35 are allowed for the reason the prior art does not teach the selector as claimed.

Art Unit: 2625

4.

Claims Objected

Claims 27 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles, can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jerome Grant II/
Primary Examiner, Art Unit 2625